

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE**

IN THE MATTER OF THE APPLICATION OF)
INLAND BAYS PRESERVATION COMPANY, LLC)
FOR A CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY TO PROVIDE WASTEWATER) PSC DOCKET NO. 08-WW-003
SERVICES PURSUANT TO 26 DEL. C. §203D)
(FILED APRIL 23, 2008)

**PUBLIC NOTICE OF COMMISSION’S INTENT TO DENY
APPLICATION FOR CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY OF
INLAND BAYS PRESERVATION COMPANY, LLC.**

TO: INLAND BAYS PRESERVATION COMPANY, LLC

On April 23, 2008, Inland Bays Preservation Company, LLC (“Inland Bays” or the “Company”) filed an application (“Application”) for a Certificate of Public Convenience and Necessity (“CPCN”) to provide wastewater services to 3 parcels of land located Northeast of Millsboro, Sussex County, Delaware.

On July 23, 2008 the Public Service Commission (“Commission”) received a letter from Sussex County (“County”) stating the all three (3) parcels in the Application were located in the County’s existing Long Neck Sanitary District and that the County opposed the issuance of a CPCN for the proposed service area. Regarding wastewater CPCN applications, 26 Del. C. § 203D (b) states that “[a]ny wastewater utility shall not extend its territory into a service territory of a municipality, government agency or wastewater authority or district without the approval of such entity and then obtaining approval of a certificate of public convenience and necessity from the Commission under this section.”

The Commission Staff (“Staff”) informed Inland Bays of the deficiencies in its Application. Later the Company informed Staff that it was in negotiations with the County to correct the deficiencies, however, the Company has not provided evidence that the original deficiencies were ever corrected.

On or about March 27, 2013, Staff sent Inland Bays a letter via first-class mail, postage prepaid, to the Company’s address as set forth in the records of the Commission. This letter informed the Company that if it did not take steps to correct and complete the Application within 15 days of the date of the letter, Staff would recommend that the Commission deny the Application for a CPCN. As of June 20, 2013 the Commission has not received a response from the Company.

Inland Bays has failed to provide the Commission with a complete and accurate Application as required by Delaware law and the Commission’s regulations. Because Inland Bays has failed to

comply with the provisions of Delaware law and the Commission's Regulations, the Commission intends to deny the Company's CPCN Application if the Company does not provide the Commission with a complete Application *on or before July 5, 2013*.

The Commission will consider whether to deny the Application for a CPCN at the July 30, 2013 Commission meeting which will begin at 1:00 p.m. The meeting will be held in the Commission's office located at 861 Silver Lake Boulevard, Cannon Building, Suite 100, Dover, Delaware 19904. The Commission will render a decision based upon the evidence presented to it at this meeting.